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Attorney Docket No. 105090-76

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Gregory B. Altshuler et al.

Application No.: 10/080,652 – 8139

Group Art Unit: 3739

Filed: February 22, 2002

Examiner: David M. Shay

For: Apparatus And Method For Photocosmetic  
And Photodermatological Treatment

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Dear Sir:

Enclosed are the following documents for filing in connection with the above-referenced patent application:

1. Supplemental Information Disclosure Statement;
2. PTO/SB/08A Form with cited reference thereon;
3. A copy cited (1) reference;
4. A copy of International Preliminary Examination Report; and
5. Return receipt postcard.

The Commissioner is hereby authorized to charge any underpayments or overpayments in connection with this filing to our Deposit Account No. 141449, Reference No. 105090-76, Customer No. 021125. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

June 4, 2004  
Date  
*Deborah A. Miller*  
Deborah A. Miller, Reg. No. 53,328

Respectfully submitted,

NUTTER, MCCLENNEN & FISH, LLP

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Certificate of First Class Mailing (37C.F.R. 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail on the date set forth below in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

June 4, 2004

By:

*Deborah A. Miller*

Date of Signature and  
Transmission

Deborah A. Miller  
Reg. No: 53,328

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Applicants have become aware of the following publication and information, cited in an International Preliminary Examination Report issued March 4, 2004 during the prosecution of PCT/US02/05689 which corresponds to the above referenced application, and in accordance with 37 CFR §1.97 and §1.98, hereby submit this publication for the Examiner's consideration. This publication is cited on the enclosed PTO/SB/08 and a copy of the publication is enclosed along with a copy of the International Preliminary Examination Report.

This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information


exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover, the Applicants understand the Examiner will make an independent evaluation of the cited publications.

The undersigned hereby certifies that each item contained in this disclosure was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

No additional costs are believed to be due in connection with the filing of this Supplemental Information Disclosure Statement. However, please charge any necessary fees in connection with the enclosed statement to our Deposit Order Account No. 141449.

Dated: June 4, 2004

Respectfully submitted,

By 

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PTO/SB/08a/b (08-03)

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<b>Substitute for form 1449A/B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/080,652
				Filing Date	February 22, 2002
				First Named Inventor	Gregory B. Altshuler et al.
				Art Unit	3739
				Examiner Name	David M. Shay
Sheet	1	of	1	Attorney Docket Number	105090-76

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA	1,706,161	03/19/1929	H.P. Hollnagel	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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Examiner Signature		Date Considered	
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